

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

VINCENT L. THOMPSON,

Plaintiff,

v.

No. 3:22-cv-40

WARDEN WILLIAM HYATTE, in his  
individual capacity;  
DEPUTY WARDEN GEORGE PAYNE, JR.,  
in his individual capacity;

Defendants.

**Complaint for Damages**

**Introduction**

1. From March to June of 2021. Vincent L. Thompson was placed in a series of restrictive housing cells at Miami Correctional Facility. Some of the cells had no working lights and had windows that were covered by sheets of metal. In one of the cells his toilet would not flush and spewed raw sewage into the cell until all the water in the cell was cut off. He remained without water during the entirety of his stay in the cell. The cells without lights and with windows obstructed by metal were constantly dark and he suffered physical injuries from falls and collisions that he endured because he could not see. The conditions of confinement in the cells represent cruel and unusual punishment

and caused Mr. Thompson damages for which defendants are liable. Defendants are also liable for punitive damages.

**Jurisdiction, venue, cause of action**

2. This Court has jurisdiction of this matter pursuant to 28 U.S.C. § 1331.
3. Venue is proper in this district pursuant to 28 U.S.C. § 1391.
4. This action is brought pursuant to 42 U.S.C. § 1983 to redress the deprivation, under color of state law, of rights secured by the Constitution of the United States.

**Parties**

5. Vincent L. Thompson is an adult who is currently confined to the Miami Correctional Facility in Miami County, Indiana, following conviction of criminal offenses.
6. William Hyatte is the duly appointed Warden of the Miami Correctional Facility and is sued in his individual capacity.
7. George Payne, Jr., is the duly appointed Deputy Warden of the Miami Correctional Facility and is sued in his individual capacity.

**Facts**

8. The Miami Correctional Facility contains a restrictive housing unit where prisoners are placed as the result of disciplinary sanctions or for administrative purposes.
9. Prisoners in restrictive housing spend all their time in their cells, except when they are released for showers or recreation. Other than this, they are isolated in their cells.
10. The restrictive housing cells contain a single window to the outside and a solitary

light fixture that supplies the only light in the cell.

11. The door to the cell is solid with a very small window.

12. Prisoners at Miami Correctional Facility have, in the past, broken both the outside window and the light fixture in many of the restrictive housing cells.

13. At all relevant times defendants Hyatte and Payne were aware that many of the restrictive housing cells had broken windows and no operable light sources. Yet, these obvious problems were not remedied.

14. Defendant Hyatte and Payne's solution to the broken windows was not to replace the windows, but in some cells to cover the windows with sheet metal so that no light came through the windows.

15. Many of the cells in the restrictive housing unit did not have operational lights and had windows covered with sheet metal.

16. Defendant Hyatte and Payne were aware that prisoners were being placed into cells without lights and with windows covered by metal plates.

17. In March of 2021, Mr. Thompson was placed into a cell in the restrictive housing unit at Miami Correctional Facility.

18. The cell had no working light, and its window was covered with a metal plate.

19. Mr. Thompson had no role in breaking the light or window.

20. Although Mr. Thompson had a television and tablet, there was no electricity in the cell and therefore he was not able to use either, although on one occasion he was able to

charge the tablet with electricity from outside his cell. But it only charged to 15% and it quickly went dead.

21. When he entered the cell there was feces and sewage water on the floor. Nevertheless, he was placed into the cell.

22. He quickly realized that the toilet did not work. It did not flush, but instead spewed raw sewage onto the floor.

23. When he complained about this, the problem was not remedied. Instead, all the water was cut off to his cell and remained cut off for entirety of his stay in the cell.

24. He was placed in the cell for 2 weeks.

25. Even though he had no running water in his cell, he was not given any water, and his meals were served with powdered drinks that had to be reconstituted with water that he did not have.

26. There was little light that came into his cell from the area outside his cell. The lights in the area outside his cell were frequently extremely dim.

27. This was the case with the areas outside all the cells in which he was confined in the restrictive housing unit.

28. He was therefore forced to remain in a filthy cell, awash in sewage, in the dark, for two weeks.

29. When he went to get his meals that were placed into his cell through the cuff port slot in his door he had to step through sewage, and he would frequently collide with his

toilet unit because it was so dark. He also often ran into parts of his bed. These collisions were painful and caused him physical injuries.

30. He also fell on three occasions in the cell as his floor was extremely slippery and it was dark, and he could not see. This was painful and caused him physical injury.

31. While in this cell he filed a grievance complaining about being placed into the dark unsanitary cell. He never received a response to his grievance.

32. While in this cell defendant Deputy Warden Payne came onto the unit and Mr. Thompson, while confined in his cell, spoke with Mr. Payne at the front of his cell and complained of the conditions in the cell directly defendant Payne.

33. Defendant Payne instructed Mr. Thompson to send defendant Payne information about the cell conditions.

34. Mr. Thompson sent him information describing the problems in his cell. Mr. Thompson never received a response from defendant Payne or anyone else.

35. While in this cell he was allowed out every 2-3 days for a shower/recreation session that was no more than an hour each time.

36. Other than this, Mr. Thompson was confined in the dark, filthy cell.

37. After approximately 2 weeks of confinement he was moved to another cell within the restrictive housing unit.

38. This cell also had no operable light. Its window was broken and was covered by metal, but the metal had openings in it, so it let in a little light.

39. Mr. Thompson had a cellmate in this second cell, and he remained in the cell for approximately 10 days.

40. Mr. Thompson was then moved again to another cell in the restrictive housing unit.

41. This new cell had no operable light, and its window was completely obstructed by metal.

42. He remained in the dark cell for 8-10 days.

43. He did not have a cell mate in this cell.

44. He again contacted defendant Payne to complain about the conditions. Again, he heard nothing.

45. While in this cell he fell because of the lack of light and suffered a painful injury to his knee. He has since filed medical requests attempting to obtain attention for the injury.

46. Mr. Thompson was again moved to another restrictive housing cell.

47. In this cell he had a cellmate.

48. Although there was a working light in this cell, the window was broken out and was uncovered.

49. As the window was completely missing, the cell was extremely cold and when it rained, the cell was wet as it was exposed to the elements.

50. Mr. Thompson filed a grievance concerning the conditions of this cell and, again,

he failed to receive a response.

51. Finally, for his last 2-3 weeks in the restrictive housing unit, Mr. Thompson was placed into a fifth cell, by himself.

52. Although this cell had a working light, it had a solid metal plate that covered the window area.

53. Again, Mr. Thompson filed a grievance and, again, he received no response to the grievance.

54. Placing a person in prolonged, isolated darkness for an extended period is a form of torture.

55. As noted, Mr. Thompson filed grievances complaining of the dark and dangerous conditions in which he was confined. Inasmuch as he never received any responses to his grievances, he could not file appeals. He therefore exhausted all grievance remedies that were available to him.

56. Defendants Hyatte and Payne denied Mr. Thompson the minimal civilized measures of life's necessities by subjecting him to darkness and dangerous conditions in the cell.

57. Plaintiff has been damaged by defendants' actions and inactions.

58. Defendants acted maliciously or with reckless disregard of plaintiff's rights and are liable for punitive damages.

59. At all times defendants acted and failed to act under color of state law.

**Claim for relief**

60. The actions of defendant Hyatte and Payne in allowing plaintiff to be held in a cell with a blocked window, no light, and dangerous and filthy conditions, violated plaintiff's Eighth Amendment rights.

**Request for relief**

Plaintiff therefore requests that this Court:

1. accept jurisdiction of this case and set it for hearing at the earliest opportunity.
2. award plaintiff his damages.
3. award punitive damages against defendants.
4. award plaintiff his costs and reasonable attorney's fees pursuant to 42 U.S.C. § 1988.
5. award all other proper relief.

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